



Montgomery County Council

From the Office of Council President Valerie Ervin

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Montgomery Council Unanimously Approves Bill Emphasizing County's Fiscal Picture During Labor Arbitration Council President Valerie Ervin Proposed Legislation

ROCKVILLE, Md., December 14, 2010—The Montgomery County Council today unanimously approved Expedited Bill 57-10 that requires an arbitrator to place the highest priority on the County's ability to afford labor contracts before evaluating other factors traditionally used in arbitration decisions. Council President Valerie Ervin, who represents Kensington, Takoma Park, Silver Spring and Wheaton, proposed the legislation, which was co-sponsored by all members of the Council.

There are three separate laws that govern the County's collective bargaining with the unions representing police, firefighters and general government employees. All resolve an impasse through arbitration where the arbitrator selects the entire final offer submitted by either the County or the union.

Under current law, the arbitrator makes an award after considering six factors. These include: past contracts and bargaining history; the wages, hours, benefits, and conditions of employment of other County employees, public employees in the region and the State, and the County's private sector; the interest and welfare of the public; and the County's ability to pay for any changes. Current County law gives none of these factors greater weight than any other.

"The Fiscal Year 2011 budget the Council approved in May, and the six-year balanced fiscal plan the Council approved in June, are stark reminders of the severe short-term and long-term budget pressures the County faces," said Council President Ervin. "An arbitrator's assessment of final competing offers should be grounded in this reality."

(MORE)

The approved bill requires an arbitrator to give the highest priority to the County's ability to pay for additional short-term and long-term expenditures by considering:

- The limits on the County to raise taxes under State law and the County Charter
- The added burden on County taxpayers
- The County's ability to continue to provide the standard level of all public services

It also permits the arbitrator to evaluate other factors contained in current law.

"As one with more than a quarter century on the front lines of the labor movement, I am deeply committed to fairness for County employees," said Council President Ervin. "But fairness also requires that the County can afford to honor its labor contracts. It also requires equitable treatment for taxpayers and service recipients. This bill will help achieve these goals while protecting the bargaining process."

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